

PATENT COOPERATION TREATY

preliminary examination report
U 015742-5
rapporteur en aanvrager
25-2-'05
termijn omzetten in reg./nat. fase:
PCT 21-4-'05

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: VAN WESTENBRUGGE, Andries et al. Nederlandsch Octrooibureau Scheveningseweg 82 P.O.Box 29720 NL-2502 LS The Hague PAYS-BAS	Nederlandsch Octrooibureau INGEK. 27 JAN 2005 Paraaf Bewerken	NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 71.1) Date of mailing (day/month/year) 25.01.2005
Applicant's or agent's file reference 47895 215514		IMPORTANT NOTIFICATION
International application No. PCT/IL 03/00854	International filing date (day/month/year) 21.10.2003	Priority date (day/month/year) 21.10.2002
Applicant MICROHEAT INC. et al.		

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the International preliminary examination report and its annexes, if any, established on the International application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.


4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Häyriinen, N Tel. +49 89 2399-5970
---	---



Form PCT/PEA/418 (January 2004)

BEST AVAILABLE COPY

EXPRESS MAIL LABEL
NO.: EV 480459377 US

PCT

WIPO

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 47895	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/L 03/00854	International filing date (day/month/year) 21.10.2003	Priority date (day/month/year) 21.10.2002
International Patent Classification (IPC) or both national classification and IPC B60S1/48		
Applicant MICROHEAT INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 13 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

I ☒ Basis of the opinion

II ☐ Priority

III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability



IV ☒ Lack of unity of invention

V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI ☐ Certain documents cited

VII ☐ Certain defects in the international application

VIII ☐ Certain observations on the international application

Date of submission of the demand 24.05.2004	Date of completion of this report 25.01.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Jazbec, S Telephone No. +49 89 2399-6061 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IL 03/00854

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-56 as originally filed

Claims, Numbers

1-259 as originally filed

Drawings, Sheets

1/37-37/37 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IL 03/00854

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 36,40-65,85-259

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 36 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the said claims Nos. 40-65,85-259

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the Standard.

☐ the computer readable form has not been furnished or does not comply with the Standard.

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees, the applicant has:

☐ restricted the claims.

☐ paid additional fees.

☐ paid additional fees under protest.

☒ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IL 03/00854**

☐ complied with.

☒ not complied with for the following reasons:

see separate sheet

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

☐ all parts.

☒ the parts relating to claims Nos. 1-39,66-84 .

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	8,9,10,12,13,24-26,28,29,30,37-39,67,70,72,75,78,79
	No: Claims	1-7,11,14-23,27,31-35,66,68,69,71,73,74,76,77,80-84
Inventive step (IS)	Yes: Claims	
	No: Claims	1-35,37-39,66-84
Industrial applicability (IA)	Yes: Claims	1-35,37-39,66-84
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IL 03/00854

The examination is being carried out on the **following application documents:**

Text for the Contracting States:

AL AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LI LT LU LV MC MK NL PL PT RO SE SI
SK TR

Description, pages:

1-56 as originally filed

Claims, No.:

1-259 as originally filed

Drawings, sheets:

1/37-37/37 as originally filed

RE Item IV

Lack of Unity of invention:

1 This Authority considers that the present application involves 5 inventions covered by the claims indicated as follows:

I. Claims 1-39, 66-84 directed to:

A heating assembly and a method as well as a vehicle comprising the same. Said heating assembly comprising first and second volume portions forming a first and a second liquid flow pathways, separated by a heat-conductive displacable element. A fluid is being directly heated in the first volume portion and indirectly in the second volume portion via a heat-conductive displacable element separating said portions. Said volume portions define at least partially turbulent flow in said first and second pathways.

II. Claims 40-65, 85-99 directed to:

A vehicle washing assembly and an operation method. Said washing assembly comprising a water reservoir, a heater and a liquid discharge assembly (nozzles). An automatically operative valve interconnects said reservoir and the liquid discharge assembly to bypass said heater when the valve is being open.

III. Claims 100-127, 210-234 directed to:

A heated liquid washing discharge system and a method. Said washing system comprises a fluid reservoir, a heater and a liquid discharge assembly. A liquid is being supplied from said reservoir to said heater through a liquid inflow conduit, and through a liquid outflow conduit to said discharge assembly (nozzles). Said heater comprising a heating chamber with a fluid drain aperture located on a side of said chamber permitting to drain the fluid from said chamber down to a predetermined level.

IV. Claims 128-156, 210-234 directed to:

A washing discharge system and a method for discharging a heated fluid. Said system comprising a fluid reservoir supplying the fluid to a heater. The liquid is being supplied from said reservoir to said heater through a liquid inflow conduit, and through a liquid outflow conduit to said discharge assembly (nozzles). The liquid inflow conduit comprising a leaky one-way valve.

V. Claims 157-185, 235-259 directed to:

A washing assembly comprising a reservoir for washing liquid, a heater with a heating chamber and a liquid discharge assembly (nozzles). A temperature sensor is being used to sense a temperature of said liquid in said heater chamber.

1.1 The reasons for which the inventions are not so linked as to form a single general inventive concept, as required by Rule 13.1 PCT, are as follows:

1.2 The closest prior art appears to be shown in document **D1 (WO-A-9746431)**. This document describes (see page 7, fig. 2; page 8 and 9, fig. 3, 4) a heating assembly as well as a vehicle comprising the same. Said heating assembly comprising first (fig. 2, ref. 8) and second volume portion (fig. 2, ref. 22) forming a first and a second liquid flow pathways, separated by a heat-conductive displaceable element (21). A fluid is being directly heated in the first volume portion and indirectly in the second volume portion via a heat-conductive displaceable element separating said portions. It thus discloses all the features of first invention therefore rendering the subject-matter of claims 1-39, 66-84 as not to be new (Rule 33(2) PCT).

1.3 It follows that the following technical features make a contribution over the prior art and can be considered as special technical features within the meaning of Rule 13.2 PCT. Those special technical features and the problems solved by them can

be construed as:

- I. For the **1st** invention (**claims 1-40, 66-84**):
 - defining of at least partially turbulent flows in said first and second pathways by the volume portions of said heating assembly in order to increase a heat transfer from the assembly to the liquid.
 - II. For the same reasoning, the special technical features of the **2nd** invention (**claims 40-65, 85-99**) are considered to be:
 - an automatically operative valve interconnecting said reservoir and the liquid discharge assembly to bypass said heater when the valve is being open in order to supply the fluid from the reservoir directly to the nozzles when heating operation is not being required.
 - III. For the same reasoning, the special technical features of the **3rd** invention (**claims 100-127, 186-209**) are considered to be:
 - a heating chamber with a fluid drain aperture located on a side of said chamber permitting to drain the fluid from said chamber down to a predetermined level when the heater is not in operation in order to drain the fluid from the heater chamber after the washing operation has been completed.
 - IV. For the same reasoning, the special technical features of the **4th** invention (**claims 128-156, 210-234**) are considered to be:
 - the liquid inflow conduit comprising a leaky one-way valve in order to control and limit backflow from said heater.
 - V. For the same reasoning, the special technical features of the **5th** invention (**claims 157-185, 235-259**) are considered to be:
 - A temperature sensor is being used to sense a temperature of said liquid in said heater chamber in order to control the heater.
- 1.4 The above analysis shows that the special technical features of **inventions 1-5** are not the same nor corresponding as well as directed towards the solutions of different problems without providing any corresponding technical effects. Therefore, the present application does not meet the requirements of Rules 13.1 and 13.2 PCT, as it lacks the required unity.
- 1.5 Since no additional fees have been paid, this report was being issued for the 1st

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IL 03/00854

invention (claims 1-39, 66-84) for which the search report has been issued
(ISA210):

Re Item V

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step
or industrial applicability; citations and explanations supporting such statement**

2 The following documents are referred to in this communication:

D1=WO-A-9746431
D2=US-A-2002137455
D3=US-A-1523156
D4=US-A-2002026999
D5=US-A-5727118
D6=JP-A-11211821

I. OBJECTIONS

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claims 1-7, 11, 14-23, 27, 31-35, 66, 68, 69, 71, 73, 74, 76, 77, 80-84** is not new in the sense of Article 33(2) PCT.

3 Claim 1:

3.1 The most relevant prior art appears to be shown in D1. This document describes all the relevant features of claim 1, namely:

A liquid heating assembly (fig. 2, ref. 20) comprising: a heat-conductive displaceable element (fig. 2, ref. 21), and a liquid heating enclosure (fig. 2, ref. 24) defining a liquid heating volume including a primary liquid heating volume portion (fig. 2, ref. 8) and a secondary liquid heating volume portion (fig. 2, ref. 22), separated by said heat-conductive displaceable element (21), said primary liquid heating volume portion (8) including a heat exchanger (fig. 2, ref. 9) for directly heating liquid in said primary liquid heating volume portion (8) and for indirectly heating liquid in said secondary liquid heating volume portion (22) via said heat-conductive displacement element (21).

3.2 Thus, the subject-matter of **claim 1** does not meet the requirements of Article 33(2) PCT, as it is not new.

3.3 Furthermore, document **D2** shows all the features of **claim 1** (see fig. 2, ref. 20, 50, 52, 54, 56, 58).

4 Claim 17:

4.1 The most relevant prior art appears to be shown in D1. This document describes all the relevant features of claim 17, namely:

A vehicle (abstract) comprising:

a vehicle chassis including a drive train (basic parts of a vehicle);

a vehicle body including at least one vehicle surface which requires washing (fig. 3, 4, ref. 40, 41);

a vehicle washing liquid reservoir (fig. 2, 3, ref. 2); a vehicle washing liquid discharge assembly (fig. 2, 3, 4, ref. 15, 43);

a vehicle surface washer assembly (fig. 2, 3, 4, ref. 15, 43) operative to employ said vehicle washing liquid discharge assembly and a washing liquid from said vehicle washing liquid reservoir (2) for washing said at least one vehicle surface (41) which requires washing;

a liquid heating assembly (fig. 2, ref. 20) operative to employ said vehicle washing liquid discharge assembly (15, 43) and said washing liquid from said vehicle washing liquid reservoir (2) for providing a spray of heated liquid (fig. 2, 3, 4) onto said at least on vehicle surface (41) which requires washing, said liquid heating assembly comprising:

a heat-conductive displacable element (fig. 2, ref. 21), and

a liquid heating enclosure (fig. 2, ref. 24) defining a liquid heating volume including a primary liquid heating volume portion (fig. 2, ref. 8) and a secondary liquid heating volume portion (fig. 2, ref. 22), separated by said heat-conductive displacable element (21), said primary liquid heating volume portion (8) including a heat exchanger (fig. 2, ref. 9) for directly heating liquid in said primary liquid heating volume portion (8) and for indirectly heating liquid in said secondary liquid heating volume portion (22) via said heat-conductive displacement element (21).

4.2 Thus, the subject-matter of **claim 17** does not meet the requirements of Article 33(2) PCT, as it is not new.

- 4.3 Furthermore, document **D2** shows all the features of **claim 17** (see fig. 2, ref. 20, 26, 30, 32, 50, 52, 54, 56, 58).

5 Claim 66:

- 5.1 The most relevant prior art appears to be shown in D1. This document describes all the relevant features of claim 66, namely:

A liquid heating method (abstract) comprising:
providing a liquid heating enclosure (fig. 2, ref. 24) defining a liquid heating volume including a primary liquid heating volume portion (fig. 2, ref. 8) and a secondary liquid heating volume portion (fig. 2, ref. 22), separated by a heat-conductive displacable element (21); and directly heating liquid in said primary liquid heating volume portion (8), thereby indirectly heating liquid in said secondary liquid heating volume portion (2) via said heat-conductive displacement element (21).

- 5.2 Thus, the subject-matter of **claim 66** does not meet the requirements of Article 33(2) PCT, as it is not new.

- 5.3 Furthermore, document **D2** shows all the features of **claim 66** (see fig. 2, ref. 20, 50, 52, 54, 56, 58).

6 Claim 73:

- 6.1 The most relevant prior art appears to be shown in D1. This document describes all the relevant features of claim 73, namely:

A vehicle operation method (abstract) comprising:
providing a vehicle (abstract) including at least one vehicle surface (fig. 2, 3, 4, ref. 41) which requires washing; and
washing said at least one vehicle surface (41) which requires washing by supplying heated liquid from a reservoir (fig. 2, ref. 2) as a spray (fig. 2, 3, 4) of heated liquid onto said at least one surface which requires washing (41) including causing liquid from said reservoir (2) to be directly heated in a primary liquid heating volume portion (fig. 2, ref. 8) and to be indirectly heated in a secondary liquid heating volume portion (fig. 2, ref. 22) via a heat-conductive element (fig. 2, ref. 21) separating said primary and secondary liquid volume

portions.

- 6.2 Thus, the subject-matter of **claim 73** does not meet the requirements of Article 33(2) PCT, as it is not new.
- 6.3 Furthermore, document **D2** shows all the features of **claim 73** (see fig. 2, ref. 20, 50, 52, 54, 56, 58).
- 7 The subject-matter of claims **1-7, 11, 14-23, 27, 31-35, 68, 69, 71, 74, 76, 77, 80-84** is also not new as the documents **D1** and **D2** show all the features mentioned therein (Rule 33(2) PCT):
- for **claim 2** (**D2**, page 7; furthermore, not inventive in scope of **D3**, fig. 5, page 2, line 98-105),
 - for **claim 3** (**D1**, fig. 2, ref. 21; **D2**, fig. 2, ref. 56),
 - for **claim 4** (**D1**, fig. 2, ref. 25; **D2**, fig. 2, ref. 70, 72),
 - for **claim 5** (**D1**, page 6; **D2**, page 5, par. 78),
 - for **claim 6** (**D1**, page 6; **D2**, page 5, par. 78),
 - for **claim 7** (**D1**, fig. 2; **D2**, fig. 2),
 - for **claim 11** (**D1**, fig. 2, ref. 25; **D2**, fig. 2, ref. 70, 72),
 - for **claim 14** (**D1**, fig. 2, ref. 21; **D2**, fig. 2, ref. 56),
 - for **claim 15** (**D1**, fig. 2, ref. 8, 22; **D2**, fig. 2, ref. 52, 56),
 - for **claim 16** (**D1**, fig. 2, ref. 8, 22; **D2**, fig. 2, ref. 52, 56),
 - for **claim 18** (**D1**, page 7; furthermore, not inventive in scope of **D3**, fig. 5, page 2, line 98-105),
 - for **claim 19** (**D1**, fig. 2, ref. 21; **D2**, fig. 2, ref. 56),
 - for **claim 20** (**D1**, fig. 2, ref. 25; **D2**, fig. 2, ref. 70, 72),
 - for **claim 21** (**D1**, page 6; **D2**, page 5, par. 78),
 - for **claim 22** (**D1**, page 6; **D2**, page 5, par. 78),
 - for **claim 23** (**D1**, fig. 2; **D2**, fig. 2),
 - for **claim 27** (**D1**, fig. 2, ref. 25; **D2**, fig. 2, ref. 70, 72),
 - for **claim 31** (**D1**, fig. 2, ref. 21; **D2**, fig. 2, ref. 56),
 - for **claim 32** (**D1**, fig. 2, ref. 8, 22; **D2**, fig. 2, ref. 52, 56),
 - for **claim 33** (**D1**, fig. 2, ref. 8, 22; **D2**, fig. 2, ref. 52, 56),
 - for **claim 34** (**D1**, fig. 2, page 6; **D2**, fig. 10),
 - for **claim 35** (**D1**, fig. 2, page 6; **D2**, fig. 10),

- for **claim 68** (D1, fig. 2, ref. 21; D2, fig. 2, ref. 56),
- for **claim 69** (D1, fig. 2, ref. 25; D2, fig. 2, ref. 70, 72),
- for **claim 71** (D1, fig. 2, ref. 25; D2, fig. 2, ref. 70, 72),
- for **claim 74** (D1, fig. 2; D2, fig. 2),
- for **claim 76** (D1, fig. 2, ref. 21; D2, fig. 2, ref. 56),
- for **claim 77** (D1, fig. 2, ref. 25; D2, fig. 2, ref. 70, 72),
- for **claim 80** (D1, fig. 2, page 6; D2, fig. 5, 10),
- for **claim 81** (D2, fig. 5, 10, page 8),
- for **claim 82** (D2, fig. 10),
- for **claim 83** (D2, fig. 10),
- for **claim 84** (D2, fig. 10).

8 The subject-matter of claims **8, 9, 10, 12, 13, 24-26, 28, 29, 30, 37-39, 67, 70, 72, 75, 78, 79** does not add anything of inventive significance (Rule 33(3) PCT).

Regarding

- **claim 8** see (depends on speed of water through volume portions, see also D4),
- **claim 9** see (D5, column 2, line 13-16, column 3, line 12-16),
- **claim 10** see (D5, an obvious choice among possible materials),
- **claim 12** see (D1, suitable to be displaced (deformed) since plastic material is being used),
- **claim 13** see (D1, suitable to be displaced (deformed) since plastic material is being used),
- **claim 24** see (depends on speed of water through volume portions, see also D4),
- **claim 25** see (D5, column 2, line 13-16, column 3, line 12-16),
- **claim 26** see (D5, an obvious choice among possible materials),
- **claim 28** see (D1, suitable to be displaced (deformed) since plastic material is being used),
- **claim 29** see (D1, suitable to be displaced (deformed) since plastic material is being used),
- **claim 30** see (D2 in combination with D6, fig. 17, abstract),
- **claim 37** see (D2 in combination with D6, fig. 17, abstract),
- **claim 38** see (D2, fig. 2 in combination with D6, fig. 17, abstract),
- **claim 39** see (D2, fig. 2 in combination with D6, fig. 17, abstract),

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IL 03/00854

- **claim 67** see (D3, fig. 5, page 2, line 98-105),
 - **claim 70** see (depends on speed of water through volume portions, see also D4),
 - **claim 72** see (D1, suitable to be displaced (deformed) since plastic material is being used),
 - **claim 75** see (D3, fig. 5, page 2, line 98-105),
 - **claim 78** see (depends on speed of water through volume portions, see also D4),
 - **claim 79** see (D1, suitable to be displaced (deformed) since plastic material is being used).
- 9 All the **claims 1-35, 37-39 and 66-84** fulfil the requirements of industrial applicability (Article 33(1) PCT).

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

- 10 The term "**AGC actuation signal**" used in dependent **claim 36** is vague and unclear and not sufficiently defined and leaves the reader in doubt as to the meaning of the technical feature to which it relates, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT).